

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CASE NUMBER 1:20CV66

JANE ROE,)
)
Plaintiff,)
)
v.)
)
UNITED STATES OF AMERICA, et al.,)
)
Defendants.)

DEFENDANTS' MOTION FOR EXTENSION OF TIME
TO FILE OPPOSITION TO PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT

On behalf of Defendants United States of America, Judicial Conference of the United States, Administrative Office of the United States Courts; United States Court of Appeals for the Fourth Circuit; Judicial Council of the Fourth Circuit; Federal Public Defenders' Office; Chief Judge Roslynn R. Mauskopf, Director James C. Duff, General Counsel Sheryl L. Walter, Chief Judge Roger L. Gregory, Circuit Executive James N. Ishida, and Federal Public Defender Anthony Martinez, in their official capacities, (collectively, "Defendants"), the undersigned counsel hereby move the Court for an extension of time of 28 days to file their opposition to Plaintiff's Motion for Partial Summary Judgment Against the Official Capacity and

Entity Defendants, ECF No. 60. Defendants' opposition is currently due on August 31, 2020, and Defendants seek an extension until September 28, 2020.

Good cause supports this motion. Plaintiff filed her complaint on March 3, 2020, and Defendants thereafter filed motions to dismiss raising various jurisdictional and non-jurisdictional grounds for dismissal of Plaintiff's claims. Those motions to dismiss remain pending. On August 17, 2020, Plaintiff filed a motion for partial summary judgment. ECF No. 60. As this case is still in its early stages, Defendants have not yet gathered all of the evidence necessary to respond to Plaintiff's summary judgment motion. Accordingly, Defendants must now gather relevant documents and obtain declarations from various witnesses, in order to oppose Plaintiff's motion. Although this process is underway, additional time will be necessary. After the evidence is gathered, Defendants' counsel must then draft Defendants' opposition to Plaintiff's motion and have it reviewed by the several defendants in this case. This entire process is further complicated by the voluminous nature of Plaintiff's complaint, which contains 505 paragraphs of allegations.

For all of these reasons, the undersigned hereby move the Court for a 28-day extension of time to file their reply briefs until September 28, 2020.

Pursuant to Local Civil Rule 7.1(b)(2), the undersigned has consulted with Plaintiff before filing this Motion. Plaintiff's counsel stated that Plaintiff's current position is as follows: "Plaintiff's counsel does not oppose a reasonable extension of

time for the purpose of drafting a response brief; however, Plaintiff's counsel does oppose any extension for the purpose of creating an evidentiary record in support of Defendants' response brief, which has not been produced in response to Plaintiff's discovery requests."

This the 26th day of August, 2020.

Respectfully submitted,

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